

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
299 East Broward Boulevard
Fort Lauderdale, FL 33301
954-769-5400

CLARENCE MADDOX
Court Administrator/Clerk of Court

Clerk's Office - Appeal #01-14029-JJ Date: December 10, 2001
U.S. Court of Appeals - Eleventh Circuit USDC # 00-6009-CV-WPD
56 Forsyth St., N.W. USCA # 01-14029-JJ
Atlanta, GA 30303

IN RE: Lawson v. Broward Sheriff's Office, et al

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Certificate of Readiness and Transmittal of Record On Appeal

Pursuant to Fed.R.App.P. 11(c), the Clerk of the District Court for the Southern District of Florida hereby certifies that, as shown on the enclosed index, the record is complete for purposes of this appeal. The record (including the transcripts or parts thereof designated for inclusion and all necessary exhibits) consists of:

1 Volume of Pleadings

Judge The Honorable William P. Dimitrouleas

Sincerely,

Clarence Maddox, Court Administrator/Clerk

By: George W. Lim
Deputy Clerk

Please Acknowledge Receipt of Certificate of Readiness.

Signature

CHS CLOSED
APPEAL

U.S. District Court
Southern District of Florida (FtLauderdale)

CIVIL DOCKET FOR CASE #: 00-CV-6009

Lawson v. Broward Sheriff's, et al
Assigned to: Judge William P. Dimitrouleas
Demand: \$0,000
Lead Docket: None
Dkt# in other court: None

Filed: 01/04/00

Nature of Suit: 550
Jurisdiction: Federal Question

Cause: 42:1983 State Prisoner Civil Rights

ROSS JAY LAWSON
plaintiff

Ross Jay Lawson
ppp
[COR LD NTC] [PRO SE]
Broward County Jail
PO Box 9356
Fort Lauderdale, FL 33310

v.

BROWARD SHERIFF'S OFFICE,
Sheriff Ken Jenne
defendant

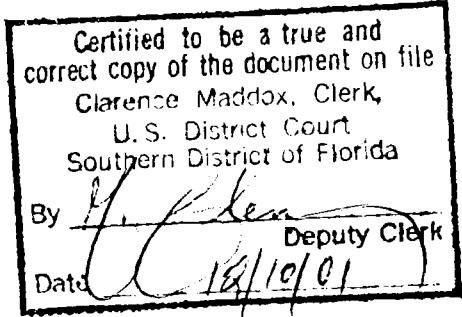
Robert Hunt Schwartz
FTS 760-9531
954-523-5885
[COR LD NTC]
Adorno & Zeder
888 SE 3rd Avenue
Suite 500
Fort Lauderdale, FL 33335-9002
954-523-5885

WILLIAM HITCHOCK,
Superintendent BCMJ
defendant

Robert Hunt Schwartz
(See above)
[COR LD NTC]

PATRICK TIGBE, Director BCMJ
defendant

BROWARD COUNTY DEPARTMENT OF
CORRECTIONS
defendant



Proceedings include all events.
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CLOSED APPEAL

ROSS JAY LAWSON

plaintiff

v.

BROWARD SHERIFF'S OFFICE, Sheriff Ken Jenne; WILLIAM
HITCHOCK, Superintendent BCMJ; PATRICK TIGBE, Director BCMJ;
BROWARD COUNTY DEPARTMENT OF CORRECTIONS

defendant

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1/4/00 (1) COMPLAINT/state prisoner civil rights filed; ifp; B-3; CHS (br) [Entry date 01/05/00] FILING FEE

1/4/00 (2) Clerk's Notice referring case to Magistrate Charlene H. Sorrentino, re: Administrative Order (br) [Entry date 01/05/00]

1/4/00 (3) MOTION by Ross Jay Lawson to proceed in forma pauperis (br) [Entry date 01/05/00]

1/13/00 (4) INITIAL ORDER OF INSTRUCTIONS TO PRO SE LITIGANT (Signed by Magistrate Judge Charlene H. Sorrentino on 1/13/00) CCAP [EOD Date: 1/14/00] (ea) [Entry date 01/14/00]

1/13/00 (5) ORDER granting [3-1] motion to proceed in forma pauperis to the extent that the plaintiff need not prepay even a partial filing fee or to prepay costs, but establishing debt to Clerk of \$150.00; jail/prison having custody of the plaintiff must make payments from the prisoner's account to the Clerk of this Court each time the amount in the account exceeds \$10.00 until the full filing fee is paid (Signed by Magistrate Judge Charlene H. Sorrentino on 1/13/00) CCAP [EOD Date: 1/14/00] (ea) [Entry date 01/14/00]

1/13/00 (6) ORDER requiring the plaintiff to file an amended complaint or or before 2/28/00 (Signed by Magistrate Judge Charlene H. Sorrentino on 1/13/00) CCAP [EOD Date: 1/14/00] (ea) [Entry date 01/14/00]

1/25/00 (7) AMENDED COMPLAINT by Ross Jay Lawson, (Answer due 2/4/00 for Broward Sheriff's, for William Hitchcock, for Broward Corrections) amending [1-1] complaint (ss) [Entry date 01/26/00]

2/9/00 (8) MOTION by Ross Jay Lawson for appointment of counsel, and/or allow access to jails law library (ss) [Entry date 02/10/00]

3/7/00 (9) SUMMONS(ES) issued for Broward Corrections (ss) [Entry date 03/08/00]

3/7/00 (10) SUMMONS(ES) issued for William Hitchcock (ss) [Entry date 03/08/00]

3/7/00 (11) SUMMONS(ES) issued for Broward Sheriff's (ss) [Entry date 03/08/00]

3/17/00 (12) SUMMONS(ES) issued for Broward Corrections (ss)

3/17/00 (13) SUMMONS(ES) issued for William Hitchcock (ss)

3/17/00 (14) SUMMONS(ES) issued for Broward Sheriff's (ss)

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3/30/00 (15) RETURN OF SERVICE executed for Broward Corrections on 3/29/00 Answer due on 4/18/00 for Broward Corrections (ss)

3/30/00 (16) RETURN OF SERVICE executed for Broward Sheriff's on 3/29/00 Answer due on 4/18/00 for Broward Sheriff's (ss)

3/30/00 (17) RETURN OF SERVICE executed for William Hitchcock on 3/29/00 Answer due on 4/18/00 for William Hitchcock (ss)

4/19/00 (18) ANSWER by Broward Sheriff's, William Hitchcock (Attorney Robert Hunt Schwartz) to amended complaint (ss)
[Entry date 04/20/00]

5/1/00 (19) ORDER denying [8-1] motion for appointment of counsel, denying [8-2] motion allow access to jails law library (Signed by Magistrate Judge Charlene H. Sorrentino on CCAP [EOD Date: 5/2/00] (ea) [Entry date 05/02/00])

5/1/00 (20) ORDER Scheduling Pretrial Proceedings When Plaintiff is Proceeding Pro Se: resetting discovery deadline for 7/17/00; all motions to join additional parties or amend the pleadings shall be filed by 7/21/00; all motions to dismiss and/or for summary judgment shall be filed by 8/11/00; the plaintiff shall file a pretrial statement on or before 8/25/00; the defendants shall file a pretrial statement on or before 9/8/00 (Signed by Magistrate Judge Charlene H. Sorrentino on 5/1/00) CCAP [EOD Date: 5/2/00] (ea) [Entry date 05/02/00]

7/6/00 (21) RESPONSE by Broward Sheriff's, William Hitchcock to motion for continuance and/or extension on pretrial proceedings (ss)
[Entry date 07/07/00]

8/15/00 (22) MOTION by Ross Jay Lawson to compel defendants to honor first request for production of documents, etc. under rule 34 (ss) [Entry date 08/16/00]

8/21/00 (23) RESPONSE by Broward Sheriff's, William Hitchcock to [22-1] motion to compel defendants to honor first request for production of documents, etc. under rule 34 (ss)
[Entry date 08/22/00]

8/29/00 (24) PRETRIAL Statement by Ross Jay Lawson (ss)
[Entry date 08/30/00]

8/30/00 (25) MOTION by Ross Jay Lawson for Court to schedule pretrial conference (ss)

9/5/00 (26) ORDER denying [25-1] motion for Court to schedule pretrial conference (Signed by Magistrate Judge Charlene H. Sorrentino on 8/31/00) CCAP [EOD Date: 9/6/00] (ea)
[Entry date 09/06/00]

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9/5/00 (27) ORDER granting [22-1] motion to compel defendants to honor first request for production of documents, etc. under rule 34 to the extent that the defendants shall, on or before 9/25/00, provide the plaintiff with copies of documents listed in this Order; the plaintiff's motion to compel is otherwise denied; the deadline for filing motions to dismiss or summary judgment is modified and extended to 10/25/00; parties may amend their pretrial statements on or before 11/15/00 (Signed by Magistrate Judge Charlene H. Sorrentino on 9/1/00) CCAP [EOD Date: 9/6/00] (ea) [Entry date 09/06/00]

9/8/00 (28) PRETRIAL Statement by Broward Sheriff's, William Hitchcock (ss) [Entry date 09/11/00]

9/28/00 (29) SUPPLEMENTAL Witness list by Ross Jay Lawson (ss) [Entry date 09/29/00]

10/24/00 (30) MOTION with memorandum in support by Broward Sheriff's, William Hitchcock, Broward Corrections for summary judgment (ss) [Entry date 10/25/00]

10/26/00 (31) ORDER Instructing Pro Se Plaintiff Concerning Response to Motion for Summary Judgment; Response to motion reset to 11/27/00 for [30-1] motion for summary judgment (Signed by Magistrate Judge Charlene H. Sorrentino on 10/25/00) CCAP [EOD Date: 10/27/00] (ea) [Entry date 10/27/00]

11/29/00 (32) SUPPLEMENTAL Witness list of inmate and other witnesses for trial by Ross Jay Lawson (ss) [Entry date 11/30/00]

11/29/00 (33) RESPONSE by Ross Jay Lawson in opposition to [30-1] motion for summary judgment being considered without oral hearing (ss) [Entry date 11/30/00]

12/1/00 (34) RESPONSE by Ross Jay Lawson to [30-1] motion for summary judgment and memorandum of law (ss) [Entry date 12/04/00]

12/4/00 (35) MOTION by Broward Sheriff's, William Hitchcock, Broward Corrections for extension of time to file reply to response to motion for summary judgment (ss) [Entry date 12/05/00]

12/4/00 (36) MOTION by Broward Sheriff's, William Hitchcock, Broward Corrections to strike [32-1] supplemental witness list (ss) [Entry date 12/05/00]

12/6/00 (37) ORDER granting [35-1] motion for extension of time to file reply to response to motion for summary judgment (Signed by Magistrate Judge Charlene H. Sorrentino on 12/06/00) CCAP [EOD Date: 12/7/00] (nt) [Entry date 12/07/00]

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12/8/00 (38) REPLY by Broward Sheriff's, William Hitchcock, Broward Corrections to response to [30-1] motion for summary judgment and incorporated memorandum of law (ss) [Entry date 12/11/00]

12/8/00 (39) MOTION by Broward Sheriff's, William Hitchcock, Broward Corrections to strike plaintiff's affidavits submitted in response to defendants' motion for summary judgment (ss) [Entry date 12/11/00]

12/13/00 (40) RESPONSE by Ross Jay Lawson to [35-1] motion for extension of time to file reply to response to motion for summary judgment (ss) [Entry date 12/14/00]

12/18/00 (41) MOTION by Ross Jay Lawson requesting the Court to deny the defendants' motion to strike affidavits submitted in response to defendants' motion for summary judgment (ss) [Entry date 12/19/00]

12/20/00 (42) REPLY by Broward Sheriff's, William Hitchcock, Broward Corrections to response to [39-1] motion to strike affidavits (ss) [Entry date 12/21/00]

12/22/00 (43) REPLY by Broward Sheriff's, William Hitchcock, Broward Corrections to response to [36-1] motion to strike [32-1] supplemental witness list (ss)

1/2/01 (44) RESPONSE by Ross Jay Lawson to [43-1] response reply (ss) [Entry date 01/03/01]

3/23/01 (45) NOTICE of inquiry and REQUEST by Ross Jay Lawson to set date for jury trial (ss) [Entry date 03/26/01]

5/25/01 (46) ORDER denying [33-1] opposition response, which is in effect a motion for an oral hearing; granting [36-1] motion to strike [32-1] supplemental witness list; denying [39-1] motion to strike plaintiff's affidavits submitted in response to defendants' motion for summary judgment; dismissing as moot [41-1] motion requesting the Court to deny the defendants' motion to strike affidavits submitted in response to defendants' motion for summary judgment; dismissing as premature [45-1] motion to set date for jury trial (Signed by Magistrate Judge Charlene H. Sorrentino on 5/24/01) CCAP [EOD Date: 5/31/01] (ea) [Entry date 05/31/01]

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5/25/01 (47)

REPORT of Magistrate Judge Charlene H. Sorrentino recommending that 1) the defendants' [30-1] motion for summary judgment be GRANTED as to the claims that the plaintiff has been denied access to the law library at the Broward County Main Jail, and that documents were confiscated from him at the facility in 11/99 and the motion for summary judgment otherwise be DENIED; 2) as to the defendant Broward County Department of Corrections and Rehabilitation, which is not amenable to suit for damages under 42 USC 1983, the amended complaint be dismissed pursuant to 28 USC 1915(e)(2)(B)(ii), for failure to state a claim upon which relief may be granted; and 3) the case remain pending against the defendant Jenne and Hitchcock on the plaintiff's claims that: (a) in violation of his rights under the First Amendment he has been denied access to both religious and non-religious reading materials due to a ban on receipt of publications by inmates at the Broward County Main Jail, and (b) he has been subjected to confinement in a high custody cell at the Broward County Mail Jail, without due process. Motion no longer referred. Signed on: 5/24/01; Objections to R and R due by 6/4/01 CCAP (ea) [Entry date 05/31/01]

6/14/01 (48)

OBJECTIONS by Ross Jay Lawson to [47-1] report and recommendations (ss) [Entry date 06/15/01]

6/14/01 (48)

OBJECTIONS by Ross Jay Lawson to [46-1] order (ss) [Entry date 06/15/01]

6/22/01 (49)

ORDER Adopting in Part [47-1] report and recommendations; Granting [30-1] motion for summary judgment; Overruling [48-1] objections; Dismissing action with prejudice; Closing Case (Signed by Judge William P. Dimitrouleas on 6/22/01) CCAP [EOD Date: 6/25/01] CCAP (ss) [Entry date 06/25/01]

6/22/01 --

CASE CLOSED. Case and Motions no longer referred to Magistrate. (ss) [Entry date 06/25/01]

7/13/01 (50)

MOTION by Ross Jay Lawson to proceed in forma pauperis on appeal (gf) [Entry date 07/16/01]

7/13/01 (51)

DESIGNATION by Ross Jay Lawson of record on appeal to be prepared and transmitted to U.S. Court of Appeals. (gf) [Entry date 07/16/01]

7/13/01 (52)

NOTICE OF APPEAL by Ross Jay Lawson of [49-2] order EOD Date: 6/25/01; Filing Fee: \$ NO FEE PAID - PENDING IFP MOTION; Copies to USCA and Counsel of Record. (gf) [Entry date 07/16/01]

7/16/01 --

Certified copies of Notice of Appeal, Docket, and Order under appeal to USCA: [52-1] appeal by Ross Jay Lawson as to Ross Jay Lawson (gf)

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7/18/01 (53) ORDER Denying [51-1] designate/designation appeal, Granting [50-1] motion to proceed in forma pauperis on appeal (Signed by Judge William P. Dimitrouleas on 7/18/01) [EOD Date: 7/19/01] (ss) [Entry date 07/19/01]

7/24/01 -- NOTICE of Receipt of Transmittal Letter from USCA as to Ross Jay Lawson Re: [52-1] appeal by Ross Jay Lawson USCA NUMBER: 01-14029-J (dl) [Entry date 07/26/01]

7/25/01 (54) Appeal Information Sheet re: as to Ross Jay Lawson [52-1] appeal by Ross Jay Lawson . No transcript requested. Appeal Record due on 8/8/01 for Ross Jay Lawson (gf) [Entry date 07/30/01]

8/17/01 (55) ORDER Denying motion for certificate of appealability (Signed by Judge William P. Dimitrouleas on 8/17/01) [EOD Date: 8/20/01] (ss) [Entry date 08/20/01]

9/28/01 -- REQUEST from U.S.C.A. dated: 9/25/01 Re: Original Papers Filed Complied with on: 9/28/01 U.S.C.A. # 01-14029-J (dl)

10/9/01 -- ACKNOWLEDGMENT of receipt by U.S.C.A. of: Original Papers Filed on 10/9/01; U.S.C.A. # 01-14029-J (dl) [Entry date 10/10/01]

12/6/01 -- Original Papers Filed (record on appeal) as to Ross Jay Lawson returned from U.S. Court of Appeals: [52-1] appeal by Ross Jay Lawson USCA #: 01-14029-J (gf) [Entry date 12/10/01]

12/10/01 (56) Certificate of Readiness and Transmittal of Record on Appeal as to Ross Jay Lawson to USCA Re: [52-1] appeal by Ross Jay Lawson USCA 01-14029-JJ (gf)

End Vol. I